



Attorney Docket No.: 10351.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yaver et al.

Confirmation No: To be assigned

Serial No.: 10/716,793

Group Art Unit: To be assigned

Filed: November 18, 2003

Examiner: To be assigned

For: Promoter Variants For Expressing Genes In A Fungal Cell

INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97(b)

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which may be material to the patentability of this application and with respect to which there may be a duty to disclose. While the references may be material under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are prior art. The filing of this IDS shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed in Form PTO/SB/08A, which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is enclosed. It is respectfully requested that these references be considered by the USPTO in its examination of the above-identified application and be made of record therein.

This IDS is being filed **before** the mailing date of a first Office action on the merits. Therefore, no fee is due.

Respectfully submitted,

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Date: March 3, 2004



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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Information Disclosure Statement
2. Form PTO/SB/08A
3. Copy of References

is being deposited with the United States Postal Service as first class mail in an envelope addressed to the address indicated above on March 3, 2004.

Seleste Buriani
(name of person mailing paper)

Seleste Buriani
(signature of person mailing paper)

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner of Patents, Washington, DC 20231.**